

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHAGANG SHIPPING COMPANY)
LIMITED (IN LIQUIDATION),)
Plaintiff,)
v.)
HNA GROUP CO., LTD., HNA HOLDING)
GROUP CO. LIMITED f/k/a HNA)
INTERNATIONAL INVESTMENT)
HOLDINGS LIMITED, HNA PLATEAU)
GOLF LLC, HNA WASHINGTON)
NATIONAL GOLF LLC, HNA)
NEWCASTLE GOLF LLC, HNA INDIAN)
SUMMER GOLF LLC, HNA TROPHY)
LAKE GOLF LLC, HNA REDMOND)
RIDGE LLC, HNA HARBOUR POINTE)
LLC, and ABC GOLF, LLC,)
Defendants.)
IN ADMIRALTY
No. CV-17-00464
**[PROPOSED] ORDER GRANTING
ISSUANCE OF WRIT OF
ATTACHMENT PURSUANT TO
SAR RULE B AND LAR 115 (C) AND
GARNISHMENT AND DIRECTING
CLERK TO ENTER PROCESS**

THIS DAY THIS COURT considered the Verified Complaint and Exhibits filed by Plaintiff, Shagang Shipping Company Limited (In Liquidation) (“Plaintiff”), seeking the issuance of process of maritime attachment and garnishment pursuant to Rule B of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure (“Supplemental Rule B”) and LAR 115 of the Local Admiralty Rules for the Western District of Washington (“LAR”), and the Plaintiff’s Verified Motion supported by the Declaration of Garrett S. Garfield of Holland & Knight LLP, the Declaration of

Order for Issuance of Writ of Attachment and Garnishment - 1
No. CV-17-00464
130716.0001/6906892.1

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1 Katie Matison of Lane Powell, PC, and appended exhibits, this Court, upon consideration of the
2 same, FINDS:

3 THAT the conditions for Plaintiff's action under SAR Rule B appear to exist. According
4 to the Verified Complaint: "(1) Plaintiff has a valid *prima facie* admiralty claim against the
5 defendant[s]; (2) defendant[s] cannot be found within the district; (3) property of the defendant[s]
6 can be found within the district; and (4) there is no statutory or maritime law bar to the
7 attachment." *Equatorial Marine Fuel Mgmt. Servs. Pte Ltd. v. MISC Berhad*, 591 F.3d 1208,
8 1210 (9th Cir. 2010).

9 THAT Plaintiff seeks to attach real property belonging to Defendants pursuant to SAR
10 Rule B and LAR 115 to execute on its Judgment on a maritime claim.

11 THAT Plaintiff has asserted sufficient facts in its Complaint to establish a reasonable
12 probability that it will prevail in its alter ego claim of liability against Defendants and for piercing
13 the corporate veil between HNA Group and the other Defendants.

14 THAT after due consideration and review, this Court has determined that Plaintiff is
15 entitled to a writ of attachment against the Defendants' property in the District, which should be
16 issued *ex parte*.

17 IT IS THEREFORE ORDERED that the United States District Court Clerk (the "Clerk"),
18 shall promptly issue process of attachment and writ of garnishment pursuant to Supplemental
19 Rule B as prayed for in the Verified Complaint in the amount of U.S.\$68,597,049.59, plus interest
20 and costs, against all goods, chattel, credits, letters of credit, bills of lading, debts, effects and
21 monies, funds, credits, accounts, brokerage accounts, letters of credit, freights, sub-freights,
22 charter hire, sub-charter hire, or any other tangible or intangible property belonging to, claimed
23 by, owed to, being held for or on behalf or otherwise for the benefit of the Defendants, including,
24 *inter alia*, the following properties:

25 (a) 2 courses at The Golf Club at Newcastle, 15500 Six Penny Lane,
26 Newcastle, WA 98059 (nominal owner: HNA Newcastle Golf LLC);

- 1 (b) The Washington National Golf Club, 14330 SE Husky Way, Auburn, WA
2 98092 (nominal owner: HNA Washington National Golf LLC);
- 3 (c) The Golf Club at Redmond Ridge, 11825 Trilogy Parkway NE, Redmond,
4 WA 98053 (nominal owner: HNA Redmond Ridge LLC);
- 5 (d) Trophy Lake Golf & Casting, 3900 SW Lake Flora Road, Port Orchard,
6 WA 98092 (nominal owner: HNA Trophy Lake Golf LLC);
- 7 (e) Harbour Pointe Golf Club, 11817 Harbour Pointe Boulevard, Mukilteo,
8 WA 98275 (nominal owner: HNA Harbour Pointe LLC);
- 9 (f) 2 courses at Golf Club at Hawks Prairie: 9051 46th Avenue NE, Lacey,
10 WA 98516 (nominal owner: ABC GOLF, LLC);
- 11 (g) The Plateau Club, 25625 East Plateau Drive, Sammamish, WA 98074
12 (nominal owner: HNA Plateau Golf LLC); and
- 13 (h) Indian Summer Golf & Country Club: 5900 Troon Lane, Olympia, WA
14 98501 (nominal owner: HNA Indian Summer Golf, LLC).

15 IT IS FURTHER ORDERED that the process of attachment pursuant to SAR Rule B will
16 be equally applicable to any other garnishees upon whom a copy of the Process of Maritime
17 Attachment and Garnishment herein may be served, in an amount up to and including
18 U.S.\$68,597,049.59, plus interest and costs.

19 IT IS FURTHER ORDERED that any person claiming an interest in the property attached
20 or garnished pursuant to this Order and the process of maritime attachment and garnishment
21 shall, upon application to this Court, be entitled to a prompt hearing at which Plaintiff shall be
22 required to show why the attachment and garnishment should not be vacated or other relief
23 granted.

24 IT IS FURTHER ORDERED that supplemental process enforcing this Court's Order may
25 be issued by the Clerk upon application without further Order of the Court.

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1 IT IS FURTHER ORDERED that a copy of this Order be attached to and served with the
2 said process of maritime attachment and garnishment.

3 SO ORDERED ON THIS THE 24th DAY OF MARCH 2017.

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The Honorable Richard A. Jones
United States District Judge